CF 100/1 (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 3546 /2003

PETITIONER : **Dr. A.N.Rao, S/o Late V.C.Swami, aged 59 years, Occupation-Service, presently posted as Deputy Commissioner (Land Records), R/o 51 M.I.G, Ramkrishna Paramhans Nagar, Kota Colony, Raipur (C.G.)**

-VERSUS-

RESPONDENTS :

1. **State of Chhattisgarh through Principal Secretary, General Administration & Public Grievances Redressal Department, D.K.S.Bhavan, Raipur (C.G.)**
2. **Secretary, Department of Revenue, D.K.S.Bhavan, Raipur (C.G.)**
3. **Additional Collector, Raipur (C.G.)**
4. **Commissioner (Land Records), Raipur (C.G.)**
5. **Smt. Laxmi Thakur, Naib Tahsildar, through Collector, Raipur (C.G.)**

RECEIVED-COPY
Clerk to A.G. Bilaspur

P. R. No. 3350/03
Presented by Shri Dhaneshwar Sahu
dated 29/10/03

WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.

(4C)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 3546/03

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

~~6.2.2004~~

Petitioner by Shri Rajeev Shrivastava, Advocate.

State by Shri Praveen Das, Panel lawyer. He takes notice on behalf of Respondents No. 1 to 4.

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India whereby he has challenged the order dt. 10.9.2003 passed by the Respondent No.1 regarding issuance of the charge sheet to the petitioner in connection of the lapses alleged to have been committed in the year 1979 to 1981 while he was working as Nayab Tehsildar, Baloda Bazar. Learned counsel for the petitioner submits that in that capacity the petitioner was required to work as Allotment Officer and the allotments were made on the recommendation of the duly constituted committed under the Madhya Pradesh Lok Abhikarano Ke Madhyam Se Bees Sutriya Karyakram Ka Karyanvayan Adhiniyam, 1980. Learned counsel for the petitioner submits that the petitioner is going to retire on 31st May, 2004 and this charge sheet has been issued after a lapse of almost 23 years, and for such a belated charge sheet it is not possible for the petitioner to look into that old records, the petitioner may not be able to defend the charges because he will not be having sufficient records with him and the relevant persons may not be available to him.

XI-HC—78

(41)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 3546/03

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Learned counsel for the petitioner further submits that the petitioner is going to retire on 31st May, 2004, his whole career is at stake at the verge of retirement and even his retiral benefits may be withheld. The petitioner has already submitted a representation to the Chief Secretary which is still pending, therefore in the circumstances the Chief Secretary may be directed to decide the representation of the petitioner, to which learned counsel for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case the petitioner is allowed to make a further representation to the Chief Secretary within a period of 10 days from today and in turn the Chief Secretary will decide the representation filed by the petitioner within a further period of two months in an objective manner by passing a reasoned order taking into consideration all the grievances raised by the petitioner in his representation.

With the above observations this petition is disposed of finally. Consequently M(W)P No. 3212/2003, I.A. No. 10157/2003 and I.A.No. 664/2004 stand disposed of.

Certified copy as per Rules.

Sd/-
L.C. Bhadoo
Judge